

REMARKS

The Examiner rejected claims 27-43 and 45-58. Claims 38-42 and 54-58 have been cancelled herein without prejudice. Thus, claims 27-37, 43, and 45-53 are pending.

Claims 27, 37, 43, and 45-53 have been amended to replace the work "Paramyxoviridae" with the word "measles." Applicants' specification fully supports these claim amendments. For example, previous claims 40 and 56 recited that the Paramyxoviridae virus could be a measles virus. Thus, no new matter has been added.

In light of these amendments and the following remarks, Applicants respectfully request reconsideration and allowance of claims 27-37, 43, and 45-53.

Withdrawn rejections

Applicants acknowledge the withdrawal of the rejections under 35 U.S.C. § 103(a).

Rejections under 35 U.S.C. § 112, first paragraph

The Examiner rejected claims 27-43 and 45-58 under 35 U.S.C. § 112, first paragraph, alleging that the specification, while being enabling for claims that recite measles virus, does not reasonably provide enablement claims that recite any Paramyxoviridae virus.

Applicants respectfully disagree. Applicants' specification fully enables the previous claims. To further prosecution, however, claims 27, 37, 43, and 45-53 have been amended to replace the work "Paramyxoviridae" with the word "measles." As indicated by the Examiner, a person having ordinary skill in the art reading Applicants' specification would have been able to make and use the presently claimed invention.

In light of the above, Applicants respectfully request withdrawal of the rejections of claims 27-37, 43, and 45-53 under 35 U.S.C. § 112, first paragraph.

CONCLUSION

Applicants submit that claims 27-37, 43, and 45-53 are in condition for allowance, which action is requested. The Examiner is invited to call the undersigned agent at the telephone

Applicant : Stephen James Russell et al.
Serial No. : 09/667,947
Filed : September 22, 2000
Page : 7 of 7

Attorney's Docket No.: 07039-298001

number below if such will advance prosecution of this application. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: February 17, 2004


J. Patrick Finn III, Ph.D.
Reg. No. 44,109

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696